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February 19, 2008

Chambers,  
Hon. Ronald L. Ellis  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

In re: In The Matter Of The Complaint of DAVID SEAN  
KENNEDY and KENNEDY ENGINE CO., INC., as  
owners and/or owners *Pro hac vice of the vessel* M/V CHELSEA  
SCREAMER for Exoneration From or Limitation of Liability,

Civil No.: 07 CIV 3808  
Our clients: Claimants John and Sharon Amber Baird

Honorable Sir:

This letter is written on behalf of both the petitioner and the claimants.


There is currently scheduled a settlement conference with this Honorable Court on  
February 26<sup>th</sup>, 2008.

It is respectfully requested that the conference be adjourned to sometime after February 26<sup>th</sup>. The petitioner had requested that claimant John Baird be examined by its physician prior to the settlement conference; however at the examination the doctor was unable to go forward because the doctor claimed that he was a personal friend of a member of this firm. As a result the petitioner appointed another physician who is now scheduled to conduct a physical examination of the claimant on March 6<sup>th</sup>, 2008. The petitioner needs a report from its physician in order for the settlement conference to be meaningful. Accordingly, it is respectfully requested that the conference be adjourned to after March 6<sup>th</sup>, 2008 to allow petitioner to conduct the examination and obtain a report from its examining physician.

No prior requests for this adjournment have been made.

Respectfully submitted,

SULLIVAN PAPAIN BLOCK  
McGRATH & CANNAVO P.C.

By \_\_\_\_\_  
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